

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

-v-

AMERINDO INVESTMENT ADVISORS  
INC., *et al.*,

Defendants.

USDS SDNY  
DOCUMENT  
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DATE FILED: 7/17/2012

No. 05 Civ. 5231 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

On May 4, 2012, the Court held a conference in which the parties and interested investors discussed the possibility of preserving and distributing assets that are currently subject to the Order of Forfeiture of Substitute Assets in the related criminal case, *United States v. Alberto William Vilar et al.*, No. 05 Cr. 621 (RJS). The Court is now in receipt of the following submissions: (1) a letter from Julian W. Friedman, counsel for Paul Marcus and Dr. Ronald Salvitti, dated May 22, 2012, setting forth proposals for managing, valuing, and ultimately distributing assets to investors; (2) a letter from Mr. Friedman, dated May 23, 2012, stating that Plaintiff, along with the government in the criminal case, consents to the proposal set forth in the first paragraph of the second page of Mr. Friedman's letter; (3) a letter from Defendants, dated May 31, 2012, objecting to Mr. Friedman's proposal; (4) a letter from the Mayer family, dated May 31, 2012, agreeing in part with and objecting in part to Mr. Friedman's proposals; and (5) a letter from Mr. Friedman, dated June 4, 2012, responding to the letters from Defendants and the Mayer family.

The Court is prepared at this time to appoint a receiver for the limited purposes of taking steps to value and preserve the seized assets and beginning the process of determining how much is owed to victims and investors. However, the Court is not prepared to authorize distributions at this time. The receiver would be paid reasonable compensation out of the seized funds, up to \$50,000. Any party or investor that wishes to object to this proposed course of action, or to propose a particular individual to serve as receiver, may do so no later than July 27, 2012. The parties and investors may respond to one another's objections no later than August 3, 2012.

SO ORDERED.

Dated: July 17, 2012  
New York, New York

  
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RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE

A copy of this Order has been sent to:

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